

Response

Applicant: Ray A. Walker

Serial No.: 10/044,476

Filed: Jan. 10, 2002

Docket No.: 10019374-1

Title: METHOD AND APPARATUS FOR TRANSFERRING INFORMATION BETWEEN A PRINTER PORTION AND A REPLACEABLE PRINTING COMPONENT

REMARKS

This Response replies to the Non-Final Office Action mailed January 9, 2004, in which claims 1-21 were rejected. With this Response, no claims have been amended. Claims 1-21 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Walker (U.S. Patent no. 6,302,527) in view of Hay (U.S. Patent no. 6,239,879).

The Examiner asserts that claims 1-21 differ from Walker only in that Walker does not disclose that the radio frequency interface and level sensor are disposed within the interior space of the ink reservoir and at least partially surrounded by ink. Hay is cited as teaching "Contactless power and communications links are established between the replaceable component and the printer engine for peripheral devices installed on or within the replaceable component. Such peripheral devices may include ... a toner quantity sensor ..." (column 2, lines 27-34). In light of the quoted portion of Hay, the Examiner asserts that it is clear that Hay is suggesting that it is an equivalent combination to put a contactless communication link (i.e., radio frequency interface/sensor) either on or within the replaceable component (i.e., interior space of ink reservoir) because the same function is performed regardless of the configuration. The Examiner asserts that it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Hay into the invention of Walker so that the radio frequency interface and sensor disclosed by Walker may be incorporated within the interior space of the ink reservoir. As motivation to modify Walker, the Examiner asserts that "the benefit of providing a contactless connection system for providing power and communications coupling to a peripheral device in a replaceable printer component." The Examiner concludes that, in light of the teachings of Hay, it is equivalent to replace the "on the reservoir" configuration of Walker with a "within the reservoir" configuration.

The Examiner's rejection is respectfully traversed. To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to

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modify the reference or combine reference teachings. Contrary to the Examiner's assertions, a person of ordinary skill in the art would find no such motivation is present in the references.

First, the Examiner's stated motivation for modifying Walker in View of Hay (i.e., gaining "the benefit of providing a contactless connection system for providing power and communications coupling to a peripheral device in a replaceable printer component") is already provided by the disclosure of Walker. Walker discloses, "The link 44 emits a radio frequency signal or a broadcast signal for transferring this ink level information to the printer portion 12" Thus, Walker already discloses "the benefit of providing a contactless connection system for providing power and communications coupling to a peripheral device in a replaceable printer component." Therefore, one skilled in the art would not need the Examiner's stated motivation for modifying Walker in view of Hay to be of any additional value, and would therefore not understand Walker as providing any motivation to be modified by any teaching of Hay.

Applicant also disagrees with the Examiner's statement that "in light of the teachings of Hay, it is equivalent to replace the 'on the reservoir' configuration of Walker with a 'within the reservoir' configuration". Hay refers to peripheral devices installed on or within a replaceable component. **Teaching that a peripheral device may be installed within a replaceable component is not the same as teaching that a peripheral device may be installed within a reservoir, as claimed in the present application.** That is, a "replaceable component" as used in Hay is not the same as the presently claimed "ink reservoir having an interior space for containing ink" (independent claims 1 and 19); "reservoir having an interior space for containing printing material" (independent claim 7); and "print material reservoir" (independent claim 13). As set forth in the present application, the replaceable printing component 14 includes a reservoir portion 24 and a printhead portion 26 (page 5, lines 10-12). Thus, in accordance with Hay, one skilled in the art would understand that a peripheral device could be installed within the replaceable printing component 14, but there is no basis for an understanding that the peripheral device is within a reservoir as claimed. There is simply no teaching in Hay that the peripheral device be installed **within the reservoir** as set forth in independent claims 1, 7, 13 and 19. Applicant respectfully submits that only the present application teaches installation of a linking device within the reservoir.

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In addition, Applicant respectfully submits that the statement that “in light of the teachings of Hay, it is equivalent to replace the ‘on the reservoir’ configuration of Walker with a ‘within the reservoir’ configuration,” is not sufficient to show that Hay discloses placement of a transmitter “within the reservoir.” There must be a teaching or reasoning in Walker or Hay to for making such change to Hay.

For at least the reasons set forth above, Applicant respectfully submits that claims 1-21 are not obvious over Walker in view of Hay, and withdrawal of the rejection under 35 U.S.C. §103(a) is requested.

CONCLUSION

For at least the reasons set forth above, Applicant believes claims 1, 7, 13 and 19, and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Non-Fee Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 31st day of March, 2004.

By Matthew B. McNutt

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